

10/52/05  
2005**COMBINED DECLARATION AND POWER OF ATTORNEY**

As below named inventor(s), I/we declare that:

My/our residence, post office addresses and citizenships are as stated below next to my/our name(s); that I/we believe I/we am/are the original, first and sole/joint inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention or design entitled:

**OPTICAL MODULATOR**

the specification of which:

\_\_\_ is attached hereto; or

X was filed on February 25, 2005, as Application Serial No. \_\_\_\_\_;

X was filed in PCT Application No. PCT/JP2003/011012;

and was amended on February 25, 2005 in a Preliminary Amendment.

I/we hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and that I/we acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me/us to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I/we hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America as listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me/us on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

<u>COUNTRY</u>	<u>SER. NUMBER</u>	<u>DATE FILED</u>	<u>PRIORITY CLAIMED</u>
Japan	2002-254938	08/30/02	YES <u>X</u> NO ___
			YES ___ NO ___

I/we hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I/we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>APPLICATION SERIAL NUMBER</u>	<u>DATE FILED</u>	<u>STATUS</u>
PCT/JP2003/011012	08/29/03	pending

I/we hereby appoint Robert J. Schneider (Reg. No. 27,383), John R. Crossan (Reg. No. 27,433), Jon C. Gealow (Reg. No. 22,386), Davis Chin (Reg. No. 26,854), and Jane S. Berman (Reg. No. 43,494), of the Bar of the State of Illinois, and at the address Chapman and Cutler LLP, 111 West Monroe Street, 16th Floor, Chicago, IL 60603-4080 my/our attorney with full-power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities under the Patent Cooperation Treaty and I/we hereby authorize him/her to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/sent this case to him and by whom/which I/we hereby declare that I/we have consented after full disclosure to be represented unless/until I/we instruct him/her in writing to the contrary.

It is requested that all correspondence be directed to:

**ROBERT J. SCHNEIDER**  
~~CHAPMAN AND CUTLER LLP~~  
~~111 WEST MONROE STREET, 16TH FLOOR~~  
**CHICAGO, ILLINOIS 60603-4080**

I/we hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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09 / March / 2005